



U.S. Department of Justice

United States Attorney
Southern District of New York

FEB 15 2008

CLERK OF COURT
JUDGE P. J. F. PATTERSONThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 15, 2008

BY FAX

Honorable Robert P. Patterson
United States District Judge
United States Courthouse
500 Pearl Street
New York, N.Y. 10007**MEMO ENDORSE**Re: United States v. Leobardo Cisneros-Maqana
07 Cr. 482 (RPP)

Dear Judge Patterson:

The parties write to request an adjournment of the motion hearing scheduled for February 19, 2008 at 4:00 p.m. The Government has today been advised that the defendant plans to enter a guilty plea to the Indictment. Hence, the parties will need additional time to complete plea discussions and to conduct a "safety valve" proffer to ascertain the defendant's eligible for relief from the mandatory minimum sentence pursuant to Title 18, United States Code, Section 3553(f).

Accordingly, the parties respectfully request an adjournment until February 25, 2008 at 4:00 p.m., or another time convenient to the Court, for the defendant to enter a guilty plea. In addition, the Government, with the consent of defense counsel, asks that the Court exclude time under the Speedy Trial Act, because the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8).

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

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2/15/08

cc: Todd Merer, Esq.

Application granted
So ordered
Robert Patterson - LUSBY